

In the United States Patent and Trademark Office

Serial Number: 10/760,204
Application. Filed: January 21, 2004
Applicant: Kia Silverbrook
Application Title: Common Inkjet Printer Cradle For Pagewidth Printhead Printer Cartridge
Examiner/GAU: Jason S. Uhlenhake 2853
Dated May 2, 2007
At: BALMAIN, NSW
Docket No. RRA19US

**PETITION TO WITHDRAW ABANDONMENT
(37 CFR 1.181)**

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

In reply to the Notice of Abandonment mailed April 23, 2007, we hereby file a petition to WITHDRAW HOLDING OF ABANDONMENT.

The Notice of Abandonment states that a reply to the Final Office Action mailed on August 14, 2006, was not received by the USPTO.

The Applicant is confused. PAIR shows that a response to the Final Office Action was received on September 18, 2006 and a response (RCE) to the Advisory Action mailed October 2, 2006 was received by the USPTO on October 23, 2006, all copies enclosed. The Applicant requests that the holding of the Abandonment be withdrawn (under 37 CFR 1.181) or that a further explanation is provided, detailing the precise reason for the abandonment of this application.

We respectfully request favourable consideration of our petition.

Very respectfully,

Applicant:



KIA SILVERBROOK

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PTO/SB/30 (04-05)

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number	10/760204
Filing Date	21 January 2004
First Named Inventor	Kia Silverbrook
Art Unit	2853
Examiner Name	Jason S Uhlenhake
Attorney Docket Number	RRA19US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☐ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/ Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☐ Other _____
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.
 - ☐ RCE fee required under 37 CFR 1.17(e)
 - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☐ Other _____
 - ☒ Check in the amount of \$ 790.00 enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Kia Silverbrook</i>	Date	October 18, 2006
Name (Print/Type)	Kia Silverbrook	Registration No.	

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	10/23/2006 SZEWDIE1 00000065 10796204

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain information by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FACSIMILE MESSAGE

Date: 18 September 2006
To: Art Unit 2853
Fax No.: 1 571 273 8300
Subject: United States Application No. 10/760,204
Inventor/Assignor: Kia Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: RRA19US

Total Number of Pages (including this) 16

Attached is a Reply to a final Office Action from Examiner Jason S. Uhlenhake, dated August 14, 2006.

Regards,

KS

Kia Silverbrook

Not Entered
9-22-06

SSU

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/760204
	Filing Date	21 January 2004
	First Named Inventor	Kia Silverbrook
	Art Unit	2853
	Examiner Name	Jason S Uhlenhake
Total Number of Pages in This Submission	Attorney Docket Number	RRA19US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Email: kia.silverbrook@silverbrookresearch.com Telephone: 61-2-9818 6833 Facsimile : 61-2-9555 7762		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature	<i>Kia Silverbrook</i>	
Printed name	Kia Silverbrook	
Date	September 18, 2006	Reg. No.

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Kia Silverbrook</i>		
Typed or printed name	Kia Silverbrook	Date	September 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. - 2. (Cancelled)

3. (Previously Presented) An inkjet printer cradle according to claim 4 wherein the body includes a recess to receive any one of the number of removable inkjet cartridges.

4. (Currently Amended) An inkjet printer cradle comprising:

A a body for supporting each of a number range of removable inkjet printer cartridges, each inkjet printer cartridge within the range being able to operate at different print speeds, having differing performance characteristics, each inkjet printer cartridge and being of a type having a pagewidth printhead and an ink supply in fluid communication with the inkjet printhead, the cartridge also having printhead contacts for receiving data and power for operating the printhead, and the body having complementary contacts for establishing an electrical connection with the printhead contacts upon insertion of the inkjet printer cartridge into the body; and,

A a controller connected to the complementary contacts and configured to determine the performance characteristics print speed of any of the inkjet printer cartridges when inserted into the body, such that the controller adjusts the operations of the pagewidth printhead in accordance with the determined performance characteristics print speed corresponding to that installed cartridge.

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REMARKS/ARGUMENTS

Applicant thanks Examiner for the detailed Office Action dated August 14, 2006. In response to the issues raised, the Applicant offers the following submissions and amendments.

Amendments

Independent claim 4 has been amended to a printer that operates with any one of a range of printhead cartridges with different print speeds. This highlights that the invention focuses on allowing the user to essentially upgrade their printer with the installation of a higher speed cartridge. In view of the amendments to claim 4, claim 2 has been cancelled.

Accordingly, the amendments do not add any new matter.

35 USC §103 – Claim 4

Claim 4 stands rejected as obvious in light of US 7,044,574 to Croley et al in view of US 6,644,801 to Matsui et al. The Applicant disagrees.

Croley does not teach an inkjet printer that has a controller with the ability to determine the print speed of the inkjet printhead cartridge upon its installation. The Croley reference teaches a cartridge that has memory for identifying itself to the printer controller (to establish ink type and supply volume) and maintaining a record of its use (a dot count). There is no disclosure of a system whereby the cartridges operate at different speeds and a print engine controller that aligns its operation with that of the cartridge printhead. There is no suggestion of upgrading the printer by simply installing a faster cartridge.

In contrast, the present invention is directed to a user upgradeable printer. The user can simply select the required printer output level by choosing the appropriate cartridge. The print engine controller determines the cartridge's print speed and can vary its own operation to suit.

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The versatility of a printer that is compatible with a range of cartridges having different print speeds has not been recognized or disclosed by Croley or Matsui. According the citation fail to anticipate amended claim 4.

Conclusion

It is respectfully submitted that the Examiner's objections and rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

Applicant/s:



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